

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

CASEY MULLINS, et al.

*

Plaintiffs,

*

v.

* **Civil Action No.: L-02-CV-1634**

OFFICER THOMAS JUGAN, et al.

*

Defendants.

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* * * * *

MOTION TO MODIFY THE SCHEDULING ORDER

Now comes, Officer Thomas Jugan, a co-defendant in the above-referenced case, by and through his undersigned counsel, pursuant to Rule 16(b) of the F.R.Civ. P., and files this Motion to Modify the Scheduling Order, and in support of said Motion, avers and states as follows:

1. The undersigned defense counsel was recently retained to handle the legal representation of Officer Thomas Jugan. Defense counsel filed an Answer on behalf of Officer Jugan on July 8, 2003.

2. Pursuant to the current Scheduling Order, the deadline for Rule 26(a)(2) disclosures regarding experts for the Defendants is August 22, 2003. Plaintiff's deadline for Rule 26(a)(2) disclosures was June 23, 2003.

3. In addition, on or about May 22, 2003, Plaintiff filed a Consent Motion to Allow Amended Complaint to add an additional defendant. As of the date of this Motion, it does not appear that any Answer has been filed by the new Defendant Officer Gills.

4. Defense counsel needs to modify the scheduling order by extending the discovery deadline and the expert disclosures so that he will have adequate time to review the files,

familiarize himself with the case, conduct and complete a full range of discovery, retain any experts, if necessary, and prepare a defense for Officer Thomas Jugan. Plaintiff has also identified that there are unknown police officers who may be defendants.

5. It is reasonable to expect that it will take several months for defense attorneys to conduct and complete discovery and to retain any experts on defendants' behalf in this matter. Defense counsel estimates that it will take at least three additional months to complete discovery.

6. Plaintiff's counsel does not oppose an extension of the discovery and expert disclosures deadlines.

WHEREFORE, co-defendant, Officer Thomas Jugan, by and through his undersigned counsel, respectfully prays that this Honorable Court will grant the Motion to Modify the Scheduling Order and enter the proposed order which is attached to this Motion.

Respectfully submitted,

/s/

Troy A. Priest
Brown, Diffenderffer & Kearney, LLP
Tide Building, Suite 300
1010 Hull Street
Baltimore, MD 21230
(410) 296-8500
*Attorneys for Defendant
Officer Thomas Jugan*

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ORDER

UPON CONSIDERATION of the foregoing Motion to Modify the Scheduling Order filed by the co-defendant, Officer Thomas Jugan, it is on this _____ day of _____, 2003,

ORDERED:

1. That Plaintiff's Rule 26(a)(2) disclosures re experts shall be due on August 25, 2003;
2. That Defendants' Rule 26(a)(2) disclosures re experts shall be due on October 24, 2003;
3. That Plaintiff's rebuttal Rule 26(a)(2) disclosures re experts shall be due on November 24, 2003;
4. That discovery shall be completed by December 22, 2003, at which time parties shall file a status report;
5. That all motions (except motions in limine) shall be filed by January 23, 2003; and

6. That the pre-trial conference currently set for December 15, 2003, shall be rescheduled for a date and time convenient to this Honorable Court.

William D. Quarles, Jr.
United States District Judge